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IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 6044 of 2004

For Approval and Signature:

HON'BLE DR.JUSTICE J.N.BHATT

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1. Whether Reporters of Local Papers may be allowed : NO  
to see the judgements?
  2. To be referred to the Reporter or not? : NO
  3. Whether Their Lordships wish to see the fair copy : NO  
of the judgement?
  4. Whether this case involves a substantial question : NO  
of law as to the interpretation of the Constitution  
of India, 1950 of any Order made thereunder?
  5. Whether it is to be circulated to the concerned : NO  
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

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MAGANBHAI BUDHABHAI PATEL  
Versus  
STATE OF GUJARAT AND OTHERS  
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Appearance:

1. Special Civil Application No. 6044 of 2004  
MR ZUBIN F BHARDA for Petitioner No. 1  
MR MR MENGDEY, ASSISTANT GOVERNMENT PLEADER  
for Respondent No. 1-3  
NOTICE SERVED for Respondent No. 1,4-3
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CORAM : HON'BLE DR.JUSTICE J.N.BHATT

Date of decision: 15/02/2005

ORAL JUDGEMENT

Upon matter being called out, Mr.Z.F.Bharda,  
learned Advocate for the petitioner and Mr.M.R.Mengdey,  
learned Assistant Government Pleader for the respondents,  
are present.

It is jointly submitted that there is no any pending inquiry against the petitioner and the process on the pending application made by the petitioner is required to be further undertaken and the pendency of this petition is not in any way necessary. Therefore, the request of the learned Advocate for the petitioner not to press this petition at this stage on the premise that the respondent-authority has to undertake further process of the claim of pensionary benefits of the petitioner since he has already applied for the same. In support of his request, Mr. Bharda, learned Advocate for the petitioner, submits a copy of the letter dated 11-11-2004 from respondent No.4 addressed to the petitioner which is taken on record.

The request is accepted. As this petition is not pressed at this stage, it shall stand disposed of with the observation that the respondent-authority shall expedite the on-going process and will finalise the case of petitioner, so far as the pensionary benefits are concerned, preferably, by 30th April, 2005. Notice shall stand discharged without any order as to costs. Direct Service permitted.

(DR. J. N. BHATT, J.)

/shamnath